

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JULIO CESOR VILLARRUEL
(JULIO CESAR VILLARUEL),

Applicant,

v.

CIV 07-981 JC/RHS
(CR 05-2458 JC)

DEPUTY WARDEN PIQQ,

Respondent.

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION
AND DISMISSING THIS CIVIL PROCEEDING WITH PREJUDICE**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PFRD") [doc. no. 16]. No objections have been filed to the PFRD.¹ Having considered the same, the Court will adopt the proposed findings and recommended disposition of the Magistrate Judge and dismiss this civil proceeding.

WHEREFORE,

IT IS ORDERED that the proposed findings and recommended disposition of the Magistrate Judge [doc. no. 16] are adopted by the Court.

IT IS FURTHER ORDERED that the Application for Grand Writ of Habeas Corpus [doc. no. 1] is **DENIED**.

IT IS FURTHER ORDERED that this civil proceeding is **DISMISSED** with prejudice and any pending motions are **DENIED** as moot.

¹The docket reflects that the PFRD mailed to Petitioner at his address of record was returned to the Clerk as "attempted - not known" and "unable to forward". ([Doc. No. 17]). A party appearing *pro se* has "a continuing duty to notify the Clerk, in writing, of any change in . . . mailing addresses" D.N.M.LR-Civ. 83.6.

s/John Edwards Conway

UNITED STATES DISTRICT JUDGE